



AmeCare

Working with you on the canvas of your life




Advocacy

Policy and Procedure

Version 1.9

Document Control

1.9	Updated whole police. Updated purpose and scope, updated procedure section, added resources, added responsibilities, review and related legislation (GR)	3.04.18	20.09.24	20.09.25
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Issue	Description of changes	Created	Updated	Review

ROLE	NAME AND POSITION	SIGNATURE	DATE
Document Author:	Yanie Drysdale - General Manager		03.04.18
Document Review:	Yanie Drysdale - General Manager		15.04.2025
Document Approval:	Yanie Drysdale - General Manager		15.04.22

Advocacy

Policy

AmeCare is committed to acting for and on behalf of the people we support to ensure that their rights and best interests are protected and recognised at all times.

As a registered service provider, AmeCare is required to provide access to advocacy support to our participants.

The purpose of this policy is:

- to outline our commitment to respecting and protecting the legal and human rights of individuals and their right to services.
- to ensure all AmeCare participants have access to advocacy support.
- to provide a framework for staff to use when providing access to advocacy support.

Definitions

Approaches to dual-disability and mental health advocacy can be categorised into six broad models:

- ☑ **Citizen advocacy:** matches people with disability with volunteers.
- ☑ **Family advocacy:** helps parents and family members advocate on behalf of the person with disability for a particular issue.
- ☑ **Individual advocacy:** upholds the rights of individual people with disability by working on discrimination, abuse and neglect.
- ☑ **Legal advocacy:** upholds the rights and interests of individual people with disability by addressing the legal aspects of discrimination, abuse and neglect.
- ☑ **Self-advocacy:** supports people with disability to advocate for themselves, or as a group.
- ☑ **Systemic advocacy:** seeks to remove barriers and address discrimination to ensure the rights of people with disability.
- ☑ **Financial Incentive:** a person who gains or intends to gain financial benefit from a participant on the NDIS.

Purpose and Scope

We expect that all staff will treat each person with dignity and respect as an individual and value their unique contribution

We believe that each person should be encouraged and supported to exercise choice and control and participate in their community to the fullest extent that they wish.

All staff are responsible to assist participants and their advocates to access information.

Procedure

• Providing Participants with Information

Participants and potential advocates are informed via appropriate formats (including verbally and in writing) about their right to use an advocate and the role of an advocate when the client is:

- ✓ Referred to any of AmeCare's services
- ✓ Assessed and/or re-assessed for services
- ✓ Wanting to make a complaint about any of AmeCare's services
- ✓ A staff member believes an advocate may be beneficial to the client

• Working with advocates (when a participant has identified or nominated and advocate)

AmeCare invites advocates participation in all areas relating to the services of the person they are supporting. This includes but is not limited to:

- assessments
- reviews
- complaints and disputes
- informed decision making
- meetings
- policy development and review
- participation in subcommittees and/or working groups
- strategic planning; and
- general meetings or for any other communication between the participant

AmeCare must:

- ✓ Record the advocates details in the client's profile on Brevity
- ✓ Ensure the client is aware of their advocacy rights including the right to have an advocate present for all assessments, meetings and communication between themselves and the organization
- ✓ Ensure any identified advocate is present at assessments and meetings
- ✓ Communicate and work co-operatively with the advocate
- ✓ Communicate transparently with a client's advocate and involve them in the support and service planning

There may be occasions where AmeCare may need to advocate in the person's best interests against the wishes of the family. This will be done in a manner that promotes the ongoing relationship wherever possible. If the matter is complex, it will be referred to a specialist advocate service.

• **Authorised Representatives**

If an Authorised Representative is acting on behalf of a client, AmeCare will require proof of representative authority and a copy of the document will be placed in the participant's file.

Authorised Representatives include:

- Guardians appointed under the Guardianship and Administration Act 1986
- Attorneys under Enduring Power of Attorney
- Agents under the Medical Treatment Act 1998
- Administrators under the Guardianship and Administration Act 1986
- A person otherwise empowered by the client to act or make decisions in the best interest of the person

• **Advocacy and Complaints**

All AmeCare service users have the right to have advocacy support when making a complaint.

AmeCare **MUST** inform the person who is making the complaint of their right to access advocacy support throughout the process.

AmeCare will ensure that the appropriate information, support and assistance is provided to any person who wishes to make, or has made a complaint about any of AmeCare's services.

- **Client Meetings and Feedback**

To promote and develop skills in self-advocacy, participants will be supported to hold regular meetings. These meetings will provide participants the opportunity to:

- ✓ make decisions about their daily lives
- ✓ provide information to participants regarding their rights and any news related to their service and or the organization
- ✓ advocate and negotiate on behalf of other participants
- ✓ assist participants to gain self-advocacy skills
- ✓ foster client participation in service planning
- ✓ develop links in service networks
- ✓ raise issues they may be having with their service, with staff or other residents
- ✓ provide feedback about any of AmeCare's service or their experience with AmeCare's service provision

For participants who prefer 1:1 situation rather than group meetings, they will be provided with the opportunity to have regular 1:1 meeting with staff and/or management.

AmeCare will ensure that communication resources (pictures, aids) are provided to ensure participants can meaningfully participate in resident meetings.

Minutes of resident meetings and/or feedback are

- ✓ kept at displayed at each site
- ✓ communicated with the rest of the team
- ✓ documented as part of AmeCare's continuous improvement process

Resources

There are a range of supports available to assist people with a disability accessing the NDIS with advocacy support.

- **Community Visitors (cv) C/- Office of Public Advocate**

204 Lygon St Carlton Free call: 1300 309 337 www.publicadvocate.vic.gov.au
Monitors and reports on care of people living in disability funded residential accommodation

- **The National Disability Advocacy Program (NDAP)**

The NDAP can help:

- ✓ with general access and support issues
- ✓ with issues that may arise with the National Disability Insurance Scheme or with support providers
- ✓ people with a disability develop self-advocacy skills
- ✓ people to build capacity to identify their needs and goals
- ✓ ensure that people understand their rights and responsibilities
- ✓ make sure that people understand their decisions and how they will affect their life
- ✓ provide support with reviews
- ✓ provide contact with a support person if client/participant is seeking a review of a NDIS decision in the Administrative Appeals Tribunal

- **Office of the Public Advocate - The Victorian Office of the Public Advocate (OPA)**

Provides services to protect and promote the rights, interests and dignity of people with disability (specifically intellectual impairment, mental disorder, brain injury or dementia) living in Victoria. Office of the Public Advocate (OPA) Refer to entry in State-wide Advocacy Services www.publicadvocate.vic.gov.au

- **Office of the Victorian Information Commissioner (OVIC)**

Level 6, 121 Exhibition St (GPO Box 24274) Melbourne 3001 Enquiries: 1300 006 842 General: 8684 1660 Email: enquiries@ovic.vic.gov.au www.ovic.vic.gov.au

- **Action on Disability in Ethnic Communities (ADEC)**

Address: 175 Plenty Road, PRESTON, VIC. 3072

Telephone: 03 9480 1666 Freecall: 1800 626 077

Website: www.adec.org.au Provides and protects the rights and responds to the changing needs of people with a disability from culturally and linguistically diverse backgrounds and their carers.

- **Disability Rights Victoria**

Address: 266 Johnston Street, ABBOTSFORD, VIC, 3067.

Telephone: 03 9427 3211

Website: www.advocacyhouse.org.au

Support and advocacy for adults with multiple disabilities

- **Victorian Equal Opportunity and Human Rights Commission**

The Victorian Equal Opportunity and Human Rights Commission is an independent statutory body with responsibilities under three laws: Equal Opportunity Act 2010, Racial and Religious Tolerance Act 2001, Charter of Human Rights and Responsibilities Act 2006.

- **Disability Advocacy Resource Unit DARU**

The resources that DARU provides aims to support the Disability Advocacy sector and Disability Advocates through disseminating relevant and up to date information, organising forums around the state so that there is a coordinated approach to issues of concern, providing professional development opportunities and undertaking capacity building projects on behalf of the sector.

- **Self Advocacy Resource Unit SARU**

Self Advocacy Resource Unit to resource and assist Victorian self advocacy groups in Victoria for People with an intellectual disability, People with an acquired brain injury, and people with complex communication support needs

- **Every Australian Counts** (everyaustraliancounts.com.au)

Every Australian Counts is the grassroots campaign that fought for the introduction of the NDIS and won. They are a community of hundreds of thousands of people with disability, their families and carers and those who support them, all working together to fight for a fair go for Australians with disability.

- **Disability Loop**

Disability Loop is a way to find out more about the National Disability Insurance Scheme (NDIS).

- **Infoxchange Service Seeker**

Australia's most extensive directory of community support services

- **VALID - The Victorian League for Individuals with a Disability**

An advocacy group for adults with intellectual disabilities and their families.

- **Villamanta Legal Service**

Villamanta is a Community Legal Service operating throughout the state of Victoria on disability related legal and justice issues for people who have a disability. Our focus is on intellectual disability. Villamanta's mission is to protect and advance the rights of Victorians who have a disability, by advising, informing and representing them and acting as an advocate on disability related legal and justice issues.

- **Aboriginal Resource Guide Western Metro Region Melbourne**

To download Guide go to <https://www.vu.edu.au/sites/default/files/about-us/pdfs/aboriginal-resource-guide.pdf>

- **Koorie Heritage Trust Cultural Centre**

(www.koorieheritagetrust.com or www.aboriginalaffairs.vic.gov.au)

- **ADEC -Action on Disability within Ethnic Communities Inc.**

(<http://www.adec.org.au/>)

ADEC is a state-wide organisation that strives to empower people with a disability from Non-English speaking backgrounds, their carers, and families to fully participate as members of the Victorian community.

- **Migrant Information Centre** (<http://miceastmelb.com.au/>)

The Migrant Information Centre (Eastern Melbourne) (MIC) has been assisting refugees and migrants residing in the eastern suburbs of Melbourne to understand Australian life, integrate into a multicultural community and access services since 1999

- **Clickability**

An Australian disability service directory that features ratings and reviews from the people who actually use the services. Clickability is a platform for people to share their experience of different services.

Responsibilities

The CEO is responsible for maintaining this policy, its related procedures and associated documents.

The AmeCare Manager is responsible, and will be held accountable for the following:

- Ensuring the policy is effectively implemented across the service;
- Monitor staff compliance with the requirements of the policy
- Ensure training and information is provided to staff to carry out this policy

Team Leaders and Site Managers are responsible and will be held accountable for the following:

- Ensuring staff are familiar with the requirements of the policy, and have sufficient skills, knowledge and ability to meet the requirements.

All Staff will be held accountable for the following:

- Complying with the requirements of this policy.

Review

This policy will be reviewed yearly with participants, their families, stakeholders and staff of AmeCare.

This policy is not intended to be a static document and AmeCare will make a commitment to its ongoing development and implementation in order to provide evidence as to the planning and review principles, guidelines and procedural direction as per the nationally recognized Standards Framework of the National Disability Agreement (NDA) and National Disability Insurance Scheme.

Related AmeCare policies and documents

- Quality and Continuous Improvement
- Privacy & Confidentiality
- Choice and Control
- Individual service delivery and expectations
- Feedback and Complaints
- Service Agreements
- Zero Tolerance Policy
- Participant Documentation Management Policy
- Making Services Better (Easy Read)

Related Legislation

- National Disability Insurance Scheme (2013)
- National Disability Service Standards
- Disability Services and Inclusion Act 2023
- Disability Act 2006
- Disability Discrimination Act 1992
- Equal Opportunity Act 2010
- United Nations' Convention on the Rights of persons with Disabilities 2006